IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

WP(C).No. 7108 of 2007(U)

PETITIONER:

FEDERAL MOGUL GOETZE (INDIA) LTD.,
42/2420, ST.BENEDICT ROAD, ERNAKULAM,
COCHIN-18, REPD. BY K.V.RAMARAJU,
SENIOR SALES EXECUTIVE (MARKETING),
THALIYATH HOUSE, COCHIN-18.

BY ADV. SRI.P.SANJAY
SRI.A.PARVATHI MENON

RESPONDENTS:
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1. DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, ERNAKULAM.

2. INSPECING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, ERNAKULAM, COCHIN-30.

BY GOVERNMENT PLEADER SRI. MUHAMMED RAFIQ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 7108 OF 2007-U

JUDGMENT

The petitioner has preferred Ext.P2 rectification petition, praying to modify Ext.P1 appellate order passed by the 1st respondent. It prays, the 1st respondent may be directed to consider and pass orders on Ext.P2 as expeditiously as possible. The petitioner also prays, the revenue recovery proceedings initiated by issuing Ext.P3 may be kept in abeyance till the disposal of the rectification petition.

2. The learned Government Pleader upon instructions submitted that Ext.P2 is received and pending. The 1st respondent is directed to consider and pass orders on Ext.P2, after affording an opportunity of being heard to the petitioner within one month from the date of production of a copy of this judgment. If the petitioner produces a copy of this judgment before the 1st respondent within two weeks from today and also pays Rs.25,000/- within the said time limit, further recovery pursuant to Ext.P3 will be kept in abeyance for a period of two months from today or till the disposal of

Ext.P2, whichever is earlier.

The Writ Petition is disposed of as above.

7th March, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/